Case 3:06-cv-01377-MMC Document 123 Filed 05/08/2007 Page 1 of 3 1 LAW OFFICES OF WALKUP, MELODIA, KELLY, WECHT & SCHOENBERGER 2 A PROFESSIONAL CORPORATION E.Filing 650 CALIFORNIA STREET, 26TH FLOOR 3 SAN FRANCISCO, CALIFORNIA 94108-2615 (415) 981-7210 4 MATTHEW D. DAVIS (State Bar #141986) mdavis@walkuplawoffice.com 5 MELINDA DERISH (State Bar #228549) mderish@walkuplawoffice.com 6 ATTORNEYS FOR PLAINTIFFS DAVID MCKAY, SHEILA MCKAY and THE ESTATE OF JOHN MCKAY 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 Case No. C 06 1377 MMC DAVID McKAY, SHEILA McKAY and THE 11 ESTATE OF JOHN McKAY, STIPULATED REQUEST FOR AN 12 Plaintiffs, ORDER CHANGING PLAINTIFFS' TIME TO COMPEL FURTHER RESPONSES TO 13 FACTUAL DISCOVERY FROM THE v. GRUICH DEFENDANTS AND 14 CHRISTIAN HAGESETH, FRANK GRUICH, [PROPOSED] ORDER JR., GRUICH PHARMACY SHOPPE, JRB 15 SOLUTIONS, INC., JRB HEALTH SOLUTIONS, LLC, BENJAMIN KREIS and 16 GREG TUTTLE, 17 Defendants. 18 WHEREAS, plaintiffs served Special Interrogatories, Sets Three and Four on defendant 19 Frank Gruich Jr. and Gruich Pharmacy Shoppe ("Gruich defendants") on February 21, 2007 and 20 March 19, 2007 respectively; 21 WHEREAS, the parties engaged an a recorded, oral meet and confer meeting on May 7, 22 2007 concerning the Gruich defendants' responses to plaintiffs' Special Interrogatories, Sets Three 23 and Four; 24 WHEREAS, the Gruich defendants agreed to provide further responses to plaintiffs' 25 Special Interrogatories, Sets Three and Four; 26 WHEREAS, the responses that the Gruich defendants have agreed to provide will 27 likely eliminate the need for a motion to compel further responses from the Gruich defendants. 28 WHEREAS, counsel for the Gruich defendants will be out of state at depositions in this STIPULATED REQUEST FOR AN ORDER CHANGING PLAINTIFFS' TIME TO COMPEL FURTHER RESPONSES TO FACTUAL DISCOVERY FROM THE GRUICH DEFENDANTS AND [PROPOSED] ORDER - CASE NO. C 06 1377 MMC

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1	case for the majority of the week of May 7, 2007;
2	WHEREAS, under this Court's local rules, plaintiffs' last day to bring a motion to compel
3	factual discovery responses is May 22, 2007;
4	WHEREAS, the trial date is October 1, 2007 and an Order changing plaintiffs' time to
5	bring a motion to compel factual discovery responses will have no effect on the trial date or any
6	other deadlines in this case;
7	The parties hereby stipulate that the Gruich defendants shall provide further responses to
8	plaintiffs' Special Interrogatories, Sets Three and Four by May 24, 2007. Plaintiffs shall have
9	until June 5, 2007 to bring a motion to compel the same.
10	Dated: 5/8/07 WALKUP, MELODIA, KEŁLY,
11	WECHT & SCHOENBERGER
12	
13	Matthew D. Davis
14	Melinda T. Derish Emily C. Wecht
15	Attorneys for Plaintiffs
16	Dated: CARROLL, KELLY, TROTTER,
17	FRANZEN, & MCKENNA
18	
19	Mark V. Franzen, Dmitriy Cherepinskiy,
20	Attorneys for defendants Frank Gruich, Jr. and
21	Gruich Pharmacy Shoppe
22	[PROPOSED] ORDER
23	PURSUANT TO STIPULATION, IT IS SO ORDERED.  Dated: 7
24	
25	(X) Mayor Humme
26	Hon. Bernard Zimmerman United States District Judge
27	Officed/States/District Judge
28 A, KELLY	
NBERGER PORATION STREET	2 STIPULATED REQUEST FOR AN ORDER CHANGING PLAINTIFFS' TIME TO COMPEL FURTHER RESPONSES TO

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case for the majority of the week of May 7, 2007;

WHEREAS, under this Court's local rules, plaintiffs' last day to bring a motion to compel factual discovery responses is May 22, 2007;

WHEREAS, the trial date is October 1, 2007 and an Order changing plaintiffs' time to bring a motion to compel factual discovery responses will have no effect on the trial date or any other deadlines in this case:

The parties hereby stipulate that the Cruich defendants shall provide further responses to plaintiffs' Special Interrogatories, Sets Three and Four by May 24, 2007. Plaintiffs shall have until June 5, 2007 to bring a motion to compel the same.

10 Dated:

Dated:

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WALKUP, MELODIA, KELLY, WECHT & SCHOENBERGER

Matthew D. Davis, Melinda T. Derish, Emily C. Wecht Attorneys for Plaintiffs

CARROLL, KELLY, TROTTER, FRANZEN, & MCKENNA

Mark V Franzen

Dmitriy Cherevinskiy.

Attorneys for defendants Frank Gruich, Jr. and Gruich Pharmacy Shoppe

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. Dated:

23 Date

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26

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28. MEDIL RELY

WALDER, MELTOOLA, RELLY WEIGHT & ECHICOGRAMICA APPRILING ALCOMOBISON 498 CAMPRICO SAN FRANCISCO, CA M 106 Hon, Bernard Zimmerman United States District Judge

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